

INSTRUCTIONS FOR CLAIM FORM

(FOR ALL CLAIMANTS EXCEPT EB-5 INVESTORS)

UNITED STATES DISTRICT COURT Central District of California, Southern Division

SECURITIES AND EXCHANGE COMMISSION

vs.

EMILIO FRANCISCO; PDC CAPITAL GROUP, LLC; CAFFE PRIMO INTERNATIONAL, INC.; SAL ASSISTED LIVING, LP; SAL CARMICHAEL, LP; SAL CITRUS HEIGHTS, LP; SAL KERN CANYON, LP; SAL PHOENIX, LP; SAL WESTGATE, LP; SUMMERPLACE AT SARASOTA, LP; SUMMERPLACE AT CLEARWATER, LP; SUMMERPLACE AT CORRELL PALMS, LP; TRC TUCSON, LP; CLEAR CURRENTS WEST, LP; CAFFE PRIMO MANAGEMENT, LP; CAFFE PRIMO MANAGEMENT 102, LP; et al.

Case No. 8:16-CV-02257-CJC-DFM

GENERAL INFORMATION

Thomas A. Seaman is the Court-appointed Receiver in the above-captioned case. He is responsible for reviewing Claim Forms, and when appropriate, objecting to claims. The purpose of the Claim Form is to help the Receiver learn who you are, how much you are owed, the reason(s) you have a claim, and how the Receiver can contact you. **Unless otherwise ordered by the Court, if you fail to submit a Claim Form by July 10, 2018, 5:00 pm Pacific Time, you will lose your right to receive any distributions from the Receiver or the receivership estate and your claim will be barred.**

- 1. WHO MUST FILE A CLAIM FORM?** You must file a Claim Form if you believe you have any claim against:
EMILIO FRANCISCO; PDC CAPITAL GROUP, LLC; CAFFE PRIMO INTERNATIONAL, INC.; SAL ASSISTED LIVING, LP; SAL CARMICHAEL, LP; SAL CITRUS HEIGHTS, LP; SAL KERN CANYON, LP; SAL PHOENIX, LP; SAL WESTGATE, LP; SUMMERPLACE AT SARASOTA, LP; SUMMERPLACE AT CLEARWATER, LP; SUMMERPLACE AT CORRELL PALMS, LP; TRC TUCSON, LP; CLEAR CURRENTS WEST, LP; CAFFE PRIMO MANAGEMENT, LP; CAFFE PRIMO MANAGEMENT 102, LP; et al., or their respective subsidiaries and affiliates (collectively, the "Companies").

This includes any claim that you are owed money by any of the Companies; assert any interest in any of the Companies or in any of its assets or in any claim against any of the Companies or any entity under its control; or assert any claim of any sort against any of the Companies whether such claim is based upon contract, contribution, indemnity, reimbursement, subrogation theories or other legal or equitable theory. Claim forms must be submitted by claimants who were investors or creditors of any type (including employees) of the Companies. If you are both an investor and creditor, or are an investor in or creditor of more than one of the Companies or affiliates or subsidiaries, please file a separate Claim Form for each and every claim or interest you allege to have against them or any of them. If you are an EB-5 investor you should receive a Notice Letter Regarding Investor Claim from the Receiver to review and, if necessary pursuant to the instructions in such form, return; you should not use this general Claim Form for your EB-5 investment. **As to all other claimants, failure to submit a signed Claim Form and supporting documentation will result in the denial of your claim.**
- 2. CONSENT TO JURISDICTION OF THE COURT AND THE CONSEQUENCES THEREOF.** If you submit a Claim Form in this case, you consent to the jurisdiction of United States District Court, Central District of California, Southern Division ("District Court") for all purposes, agree to be bound by its decisions, including a determination, among other things, as to the validity and amount of your claim against the above-captioned Companies, affiliates, subsidiaries or other persons or entities as identified in paragraph 1. In submitting a Claim Form, you agree to be bound by the actions of the District Court even if that means that a claim is limited or denied. By submitting a Claim Form, you further agree that your participation in any distribution of the receivership estate may exclude or prevent you from pursuing other remedies.
- 3. HOW ARE CLAIMS SUBMITTED?** You can send a completed Claim Form, along with all supporting documentation, by mail to 3 Park Plaza, Ste. 550, Irvine CA 92614; by email to claims@pdcreceiver.com; or by facsimile to 1 (949) 222-0661. Please submit only one Claim Form per claim. Please do **not** send or file the Claim Form with the Court.
- 4. WHAT IS THE DEADLINE TO SUBMIT THIS CLAIM FORM?** The Claim Form must be **received** by July 10, 2018, 5:00 pm Pacific Time. Please note that, unless the Court orders otherwise, any late filed claim may be denied in its entirety.
- 5. SUPPORTING DOCUMENTS.** You must attach to the Claim Form copies of all documents that show that the Companies owe the debts or amounts claimed, or if the documents are too lengthy, a summary of those documents. If supporting documents are not available, you must attach an explanation of why they are not available. Failure to provide such documents may result in the denial of your claim.
- 6. ADDITIONAL INFORMATION.** Additional information regarding filing the Claim Form, along with additional blank forms, can be obtained at www.pdcreceiver.com or you may email claims@pdcreceiver.com to request a form be mailed or emailed to you.
- 7. TAX AND LEGAL ADVICE.** The Receiver cannot provide tax or legal advice. You are encouraged to seek independent advice regarding tax and legal issues in regards to filing your claim.

INFORMATION ON COMPLETING THE CLAIM FORM

1. **Information about Claimant.** Complete this section giving the name, address, telephone number and email address of the Claimant who is asserting a claim against the Companies, and any account or reference number associated with such debt. If the Claimant is an entity, please provide contact information for an authorized representative.
2. **Claim information.**
 - 2a. Please indicate the basis of your claim in this section.
 - 2b. Entity/Person with whom claim was incurred: Please identify the person or entity you believe owes you the money.
 - 2c. **Date the Claim was Incurred.** Please indicate the date on which the amount you allege to be owed arose.
 - 2d. **Total Claim Amount as of January 5, 2017.** Please state your claim amount as of **January 5, 2017**.
 - 2e. **Other liable parties.** Please identify any other party you believe may be liable to you on the claim.
 - 2f. **Pending Legal Action.** If you have commenced a legal action against any of the above-captioned defendants, please provide the details of said legal action here. Please attach any additional pages of description and supporting documentation. Also, please provide any information regarding court judgments obtained against any of the above-captioned defendants.
 - 2g. **Security interest.** Please mark the applicable box if you contend your claim is subject to a security interest, and attach copies of all security agreements and other documents that evidence the claim of secured status.
 - 2h. **Claim above principal amount.** Mark the applicable box if your claim amount includes interest or other charges, such as attorneys' fees, loss profits, or late fees in addition to the principal amount of your claim, and attach an itemized statement of all such additional charges.

Please feel free to provide additional pages of explanation or narrative discussing your claim.
3. **Investment information.**
 - 3a. Please indicate the name of the entity in which you claim to have invested funds, *other than* as an EB-5 investor making an EB-5 investment. If you are an EB-5 investor you should receive a Notice Letter Regarding Investor Claim from the Receiver to review and, if necessary pursuant to the instructions in such form, return; you should not use this general Claim Form for your EB-5 investment. **(If you are an EB-5 investor and you did not receive a letter regarding your investment, please contact the Receiver at claims@pdcreceiver.com.)**
 - 3b. **Nature of the investment.** Please describe the nature of the investment (stock, limited liability company membership, etc.)
 - 3c. **Date and Amount of Funds Invested and Distributed/Withdrawn.** Please attached a statement of each time you made an investment with the applicable Company by indicating the investment date and the investment amount and of any distributions or withdrawals from the applicable Company by indicating the date and amount of each said distribution or withdrawal.
 - 3d. **Claim Amount.** Please state the amount you invested or paid to the Company or their predecessors, affiliates or subsidiaries as of **January 5, 2017**. If the stated amount includes increases over principal invested, such as interest, attorneys' fees, damages, claims or late fees, please mark the appropriate box below the claim amount and provide a detailed break-down of the claim. If you claim an interest in a specific property or asset, mark the appropriate box in this section and attach a statement identifying the property and interest.
4. **Supporting Documentation.** In addition to filing out the Claim Form, you should provide supporting documentation evidencing your claim. Supporting documentation may include documents such as stock certificates, promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, or evidence of perfection of liens.
5. **Third Party Actions.** If you have asserted any claims for damages related to your claim against third parties, please check the box and attach a brief description and state the amount of money recovered, if any.
6. **Date-stamped Copy.** To receive an acknowledgement of the filing of your Claim Form, enclose an additional copy of the Claim Form, along with a self-addressed, stamped envelope when filing the original form.
7. **Signature.** Sign the Claim Form and indicate your title, if applicable.
8. **Date.** Insert the date on which you completed and signed the Claim Form.